

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 COLE D. ENGELSON,

Case No. 2:25-cv-00143-GMN-MDC

4 v. Plaintiff,

**ORDER GRANTING IFP APPLICATION
AND DIRECTING SERVICE**

5 JEREMY BEAN, et al.,

[ECF No. 1]

6 Defendants.

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9 This action began with a pro se civil-rights complaint filed under 42 U.S.C. § 1983
10 by a state prisoner. Plaintiff has applied to proceed *in forma pauperis*. (ECF No. 1). Based
11 on the financial information provided, the Court finds that Plaintiff is unable to prepay the
12 full filing fee in this matter.

13 The Court entered its screening order on September 9, 2025. (ECF No. 8). The
14 screening order imposed a 90-day stay and the Court entered a subsequent order in
15 which the parties were assigned to mediation by a court-appointed mediator. (ECF
16 Nos. 8, 11). The parties did not settle at mediation. (ECF No. 13). This case will therefore
17 proceed onto the normal litigation track.

18 For the foregoing reasons, **IT IS ORDERED** that:

19 1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is
20 **GRANTED**. Plaintiff will not be required to pay an initial installment of the filing fee.
21 Plaintiff is permitted to maintain this action to conclusion without prepaying any additional
22 fees or costs or the giving of security for them. In the event that this action is later
23 dismissed, the full filing fee must still be paid under 28 U.S.C. § 1915(b)(2).

24 2. The Nevada Department of Corrections must forward payments from the
25 account of Cole D. Engelson, #1243307 to the Clerk of the United States District Court,
26 District of Nevada, 20% of the preceding month's deposits (in months that the account
27 exceeds \$10) until the full \$350 filing fee has been paid for this action. The Clerk of Court
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1 is directed to **SEND** a copy of this order to (a) the Finance Division of the Clerk's Office
2 and (b) to the attention of **Chief of Inmate Services for the Nevada Department of**
3 **Corrections** at formapauperis@doc.nv.gov.

4 3. The Clerk of Court is directed to electronically **SERVE** a copy of this order
5 and a copy of Plaintiff's complaint (ECF No. 9) on the Office of the Attorney General of
6 the State of Nevada by adding the Attorney General of the State of Nevada to the docket
7 sheet. This does not indicate acceptance of service.

8 4. Service must be perfected within 90 days from the date of this order under
9 Federal Rule of Civil Procedure 4(m).

10 5. Subject to the findings of the screening order (ECF No. 8) within 21 days of
11 the date of entry of this order, the Attorney General's Office must file a notice advising the
12 Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the
13 names of the defendants for whom it does not accept service, and (c) the names of the
14 defendants for whom it is filing the last-known-address information under seal. As to any
15 of the named defendants for whom the Attorney General's Office cannot accept service,
16 the Office must file, under seal, but will not serve the inmate Plaintiff the last known
17 address(es) of those defendant(s) for whom it has such information. If the last known
18 address of the defendant(s) is a post office box, the Attorney General's Office must
19 attempt to obtain and provide the last known physical address(es).

20 6. If service cannot be accepted for any of the named defendant(s), Plaintiff
21 must file a motion identifying the unserved defendant(s), requesting issuance of a
22 summons, and specifying a full name and address for the defendant(s). For the
23 defendant(s) as to which the Attorney General has not provided last-known-address
24 information, Plaintiff must provide the full name and address for the defendant(s).

25 7. If the Attorney General accepts service of process for any named
26 defendant(s), such defendant(s) must file and serve an answer or other response to the
27 complaint (ECF No. 9) within 60 days from the date of this order.

1 8. Plaintiff must serve upon defendant(s) or, if an appearance has been
2 entered by counsel, upon their attorney(s), a copy of every pleading, motion, or other
3 document Plaintiff submits for the Court's consideration. If Plaintiff electronically files a
4 document with the Court's electronic-filing system, no certificate of service is required.
5 Fed. R. Civ. P. 5(d)(1)(B); Nev. Loc. R. IC 4-1(b); Nev. Loc. R. 5-1. But if Plaintiff mails
6 the document to the Court, Plaintiff must include with it a certificate stating the date that
7 a true and correct copy of the document was mailed to the defendant(s) or their
8 attorney(s). If counsel has entered a notice of appearance, Plaintiff must direct service to
9 the individual attorney named in the notice of appearance, at the physical or electronic
10 address stated therein. The Court may disregard any document received by a district
11 judge or magistrate judge that has not been filed with the Clerk or fails to include a
12 certificate showing proper service when required.

13 9. This case is no longer stayed.

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15 DATED: December 30, 2025

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18 UNITED STATES MAGISTRATE JUDGE
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